

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LADARIUS DAVON MURPHY,

Plaintiff,

v.

RUSSELL W. MILLER, JR.,

Defendant.

Case No. 2:21-cv-00317-JDP (PC)

ORDER DIRECTING PLAINTIFF TO
SUBMIT A COMPLETE IN FORMA
PAUPERIS APPLICATION AND INMATE
TRUST ACCOUNT STATEMENT

Plaintiff, a county inmate proceeding without counsel, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. However, the certificate portion of the request, which must be completed by plaintiff's institution of incarceration, has not been completed. Also, plaintiff has not filed a certified copy of his inmate trust account statement for the six-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a completed *in forma pauperis* application and a certified copy in support of his application.

In accordance with the above, it is hereby ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis*, ECF No. 2, is denied without prejudice.

2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner.

1 3. Plaintiff shall submit, within thirty days from the date of this order, a completed
2 affidavit in support of his request to proceed *in forma pauperis* on the form provided by the Clerk
3 of Court.

4 4. Plaintiff shall submit, within thirty days from the date of this order, a certified copy of
5 his inmate trust account statement for the six-month period immediately preceding the filing of
6 the complaint. Plaintiff's failure to comply with this order will result in a recommendation that
7 this action be dismissed without prejudice.

8
9 IT IS SO ORDERED.

10 Dated: April 5, 2021



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE